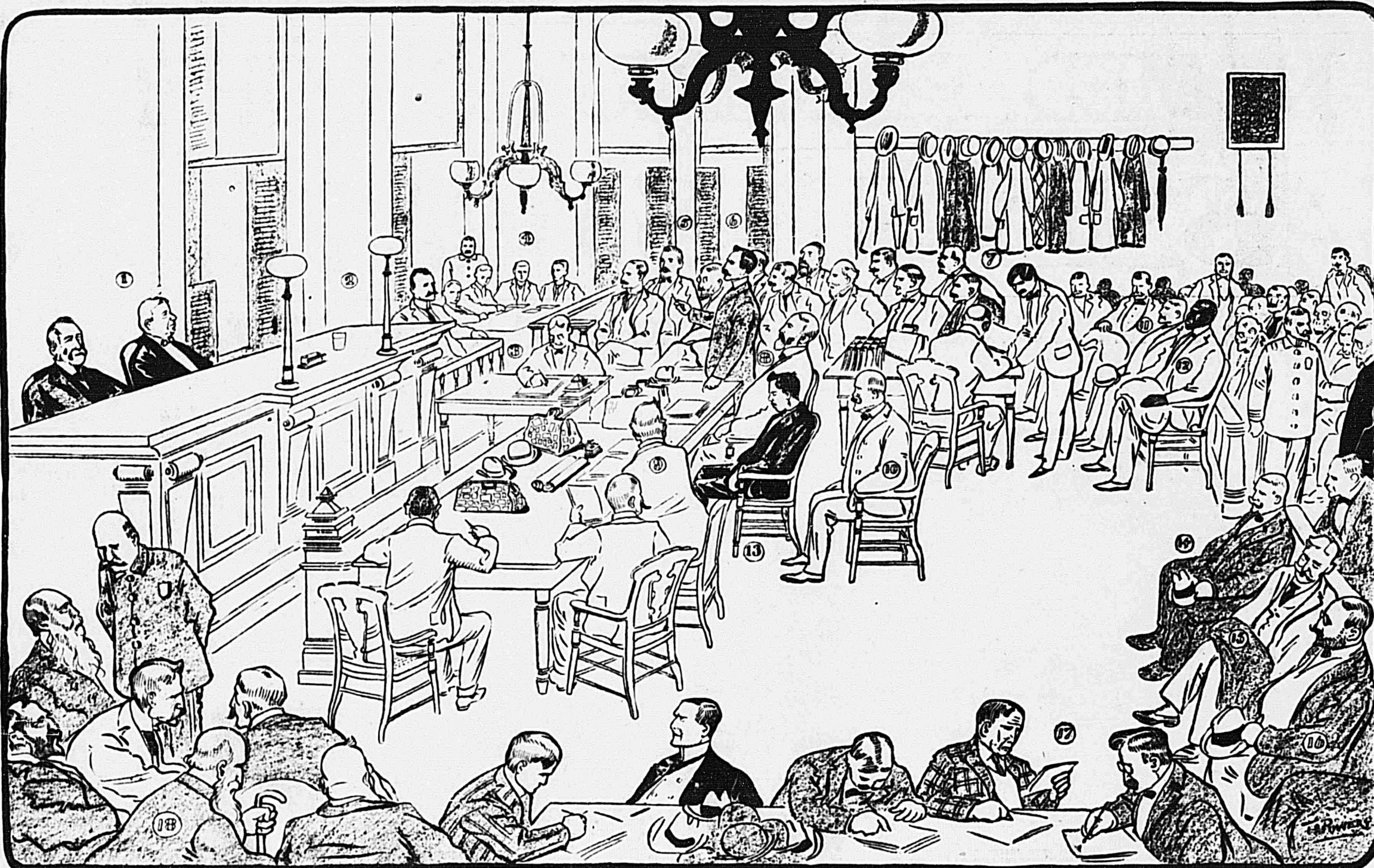


# TRIAL OF THE PRESIDENT'S ASSASSIN BEGINS.

## COURT-ROOM SCENE DURING THE TRIAL OF PRESIDENT M'KINLEY'S ASSASSIN.

(Drawn by T. E. Powers from photographs and sketches made in Buffalo.)



No. 1. Justice Truman C. White.  
No. 2. Detective-Sergeant John Geary, into whose arms the President fell when shot.  
No. 3. Stenographer.  
No. 4. Reporters.

No. 5. The jury.  
No. 6. District-Attorney Thomas Penney.  
No. 7. Assistant District-Attorney Diederick Haller.  
No. 8. Ex-Judge Robert C. Titus, counsel for the assassin.

No. 9. Ex-Judge Lewis, counsel for the assassin.  
No. 10. Prisoner's guard.  
No. 11. Detective Albert Solomon, who stood beside the President.

No. 12. Parker, the colored waiter.  
No. 13. The assassin.  
No. 14. Chief of Detectives Patrick V. Cusack.  
No. 15. Dr. Joseph Fowler, insanity expert for the People.

No. 16. Dr. Floyd S. Crego, insanity expert for the People.  
No. 17. Reporters.  
No. 18. Lawyers and doctors.

ded his head. He drank the water greedily. Then he pulled out his handkerchief, passed it across his lips and settled back again in an easy attitude in his chair.

He didn't seem indifferent, nor did he appear to be trying to assume an air of bravado, but rather would have been picked out as one of the interested spectators in the room.

When Mr. Lewis was cross-questioning Dr. Gaylord, Mr. Ladd whispered to the old lawyer, who suddenly asked, "Is it true, did you say that at the autopsy you found a cancerous growth in the body of the President?"

"No, sir, I did not."

**Dr. Mynter's Testimony.**  
When Dr. Gaylord left the stand, Dr. Herman Mynter, the famous surgeon, and one of the men who performed the operation upon President McKinley, took the stand.

Dr. Mynter, in answer to questions by District-Attorney Penney, said that when he arrived at the hospital in the Exposition grounds he examined the President and said to him:

"Mr. McKinley, there must be an operation immediately to save your life."

"The President acquiesced," continued the surgeon, "and I turned to those present and said: 'This man must have as good a chance for his life as though he was a laborer on these grounds.'"

"Then Dr. Mann came. It was decided that Dr. Mann and I should operate."

"Dr. Mann operated. Others were present. We decided and agreed that all had been done that could be done. We decided to move him to the house of Mr. Milburn, where he died."

Dr. Mynter told of the condition of Mr. McKinley from that day for the next six days, saying that it was flattering. The District-Attorney asked the witness to strip his remarks of all surgical verbiage and tell plainly what caused the President's death.

The witness stated that the death was caused by the gun-shot wound.

**Why Bullet Wasn't Found.**  
Mr. Titus, who took the witness in hand, asked why, when the operation was first performed, the bullet was not found and taken out.

"It would have been necessary to make an incision fully ten inches in length and to take out the intestines to have made that search," replied Dr. Mynter.

"The President was already under the influence of shock, and had that attempt been made he would have died on the table."

The cross-examination of Dr. Mynter was thorough and skillful. One point Mr. Titus was exceedingly anxious to make plain: To bring out for his own satisfaction what caused the infection of the wounds and what produced the gangrenous condition which caused death.

Dr. Mynter said that, though called as an expert, there were things that he didn't know, and that in all his practice of twenty-two years he had never before seen a case similar to that of the distinguished patient—that it was not natural for gangrene to set in following a gunshot wound, and that it was a mystery to him.

**Dr. Mann's Operation.**

Dr. Matthew D. Mann, the chief surgeon, who handled the knife at the first operation, was sworn. He told of opening the abdomen of the President. He took out the stomach and found an opening. That was sewed up. Then some of the fatty tissue was cut away and the stomach turned over, and another opening larger than the one in front was made. It was closed up and washed.

"Then I inserted my hand and made a search for the track of the bullet," said Dr. Mann, "but it was fruitless. The manipulation of my hand in the aperture was having a bad effect upon the patient, and I desisted."

Then Dr. Mann told of the arrangements made by Dr. Rixey for caring for the President while he was in Mr. Milburn's residence.

Dr. Mann said that the death of the President was caused by the gun-shot wound, and when that point was placed on official record the case was adjourned until 10 o'clock tomorrow morning.

Then the Court, the jury, the counsel and court officials passed out. Then went the prisoner and his guards and the door was again shut, holding the crowd back until the prisoner was again well on his way to the jail by the underground tunnel route.

### IMPRESSIVE COURT OPENING.

(Special to The Evening World.)  
BUFFALO, Sept. 23.—Justice White took his seat in court promptly at 10 o'clock. Every available space was occupied. It was a silent, expectant gathering. The solemnity of the occasion was oppressive.

District-Attorney Penney came in, and

accompanied by Dr. Allen McLane Hamilton.

Shortly afterward Porter G. Norton came in and conferred with the District-Attorney, who immediately left the court. When he returned he was accompanied by famous Attorney Bartow S. Weeks, of New York, and Mrs. Weeks. Mr. Penney secured seats for them. As they were seated a hush fell upon the assembly, then a buzz of excitement as Justice Robert C. Titus, followed closely by his snow-haired colleague, Justice Loran I. Lewis, walked down the aisle.

**A Distasteful Duty.**

Justice Titus was very pale and his lips were tightly compressed. It is the most unpleasant task of this man's long and honorable legal career, this defending the assassin of President McKinley, and he and his venerable associate showed plainly by their appearance how utterly distasteful is the duty placed upon them. For a moment the two lawyers conferred with Deputy Jury Commissioner Seymour, and then they left the room.

Soon afterward Loran I. Lewis, Jr., himself an attorney and a partner in the firm, preceded by his aged father, entered. Then came W. Cary Ely, President of the International Traction Company. He was accommodated with a seat near Mr. Weeks. The wife and daughter of Justice White came in a moment later and were given seats near by.

Ten came Justice White. He was pale but collected. Court was immediately called by Deputy Sheriff Frank Fluke. The roll of the Grand Jury was called and the members were discharged for two weeks, and then the roll of the panel of thirty-six jurors called in the case was read.

**First Talebearer Examined.**

The first man questioned as to his fitness to serve was B. Northrup Eli, a powerful old man, who wanted to be excused because he had some farm work to do which he thought was of surpassing importance. He was excused.

Dr. Carlos F. Macdonald and Dr. Floyd S. Crego appeared in court at this time, and both took seats near the table of the District-Attorney. As Drs. Hamilton, Macdonald and Crego are among the country's greatest alienists, and as all are with the prosecution it will be seen at once that Justices Titus and Lewis cannot expect, even if they desire, to make the Court believe that the murderer of the President was insane.

**Entrance of the Assassin.**  
It was exactly 10.15 o'clock when the assassin entered the courtroom. He

## HERR MOST HELD IN SUM OF \$5,000.

**Was Captured in Raid on Anarchistic Meeting in Saloon at Corona, L. I.—Proprietor Put Under \$3,500 Bail—Big Red Flag Seized.**

"It is the time for action. The heel of the oppressor is upon our necks and the plutocrats are sending it on its deadly mission. It is the hour when unity is necessary. The police are hunting us. If I had twenty of those bluecoats here I would take them by the neck like this—Mein Gott! Der boe!"

When the police pulled Herr John Most from under a table at Corona, L. I., last night, Herr John's plea for mercy went heavenward with those of the rest of the four hundred or more "Reds" present. He was in the center of a bewildered crowd, his huge fist in the air and his eyes gleaming with

the hall. It was the prisoner approaching, led by Chief of Detectives Cusack. He was handcuffed to Detectives Solomon and Geary, and, as he entered the court somebody took from his head a white hat which he wore. The assassin was outwardly calm, though he swallowed hard and repeatedly.

He was seated immediately back of his attorneys when the handcuffs had been removed, and Detectives Solomon and Geary took seats on either side and slightly back of the prisoner.

**First Juror—Eight Minutes.**  
"Stand up," said the District-Attorney, and the assassin arose. He rested one hand nervously on the back of the chair of Justice Lewis.

"You are charged with the crime of murder in the first degree in shooting and causing the death of William McKinley," read District-Attorney Penney. "How do you plead?"

The murderer did not answer. There was a hush in the court, and Justice Lewis arose. Then the lips of the prisoner moved.

"The prisoner is about to speak," said Justice White from the bench. Justice Lewis sat down.

"Guilty."

"Do you understand the charge?" asked the District-Attorney. "I do," said the assassin in a low

voice.

"And how do you plead to the allegation that on Sept. 6 you shot William McKinley?"

"Guilty," said the murderer. But the plea could not be accepted. As counsel had previously entered a plea of not guilty. The assassin again took a seat, and a questioning of talesmen was resumed.

Frederick N. Lauer, a plumber, was examined by Justice Lewis, who for the first time asked a question that showed the line of defense. It will be insane.

If a legal fight is made it will be made on the lines of mental aberration, for Mr. Lewis made Lauer say that if the evidence to be adduced raised in his mind a reasonable doubt of the sanity of the prisoner the accused should have the benefit of that doubt. Lauer was accepted as the first juror.

He faced the assassin as he was sworn. It had taken less than eight minutes to secure this juror, and it took but a few minutes more to find that Richard Garwood, a builder, of No. 140 Hoyt street, was acceptable to both sides.

The eyes of all the men and women in court were upon the assassin as he arose. His face was perfectly calm. He faced the juror tranquilly.

## EMMA GOLDMAN AND OTHER ANARCHISTS GO FREE.

CHICAGO, Sept. 23.—The nine Anarchists who have been under arrest here since the assassination of President McKinley were today given their freedom. Judge Chetlain so ordering, after the prosecution had admitted that there was no legal evidence against them.

Emma Goldman was not a party to the proceedings. Her case is set for hearing to-morrow before Magistrate Prindiville, where she, as well as the

other men freed to-day, are charged with conspiracy to murder President McKinley.

The case in the lower court with reference to the men is, of course, nullified by the action of Judge Chetlain to-day.

The Goldman woman will also be set at liberty, as Justice Prindiville has agreed to take such action in her case as the upper court took in the case of the men.

Then he settled back in his seat and stared at the Judge. When Henry F. Wend was selected as Juror No. 3, the assassin faced him, then dropped back in his seat, carefully pulling up his trousers lost by the bag at the knees. He reeled one foot on the rung of the chair of the venerable attorney who sat immediately in front of him.

Any stranger entering the court and having no knowledge of the location of the prisoner could very well have picked a dozen other men within the rail as the murderer, for there were many who looked more desperate.

Silas Carmer, a white-haired farmer from Clarence, was put on the stand. He wagged his head and said that he had formed his opinion "and and hard" as to the guilt or innocence of the assassin. He finally believed that he could listen to the evidence, and if there was a reasonable doubt give it to the defendant, and Justice Lewis accepted him.

The questions asked by Mr. Lewis, for the defense, of nearly all of the talesmen were particularly directed toward the fact of whether or not they were present in the Temple of Music at the time of the crime.

As the case proceeds the point that becomes evident is the anxiety of both sides to secure a jury without delay. It was barely 11.15 o'clock, but already four men had been secured.

Prosecution and defense seem willing to question the jurors briefly and to accept them whenever they show a glimmering of reason. Assemblyman George Riel, a barber, who is a clever fellow, was evidently desirous of serving, so anxious, in fact, that he was soon excused by the defense.

**His Unshaken Opinion.**  
Herman B. Tauber, a local railroad clerk, was next called, but as he had expressed a firm opinion of the case, he also was excused by the Court.

Dennis T. O'Reilly, a life insurance agent for thirty years in Buffalo, had formed an opinion of the case but

the President of the Exposition by the hand, and then he took a seat, adjusted his glasses and stared long and earnestly at the assassin, on whose face he had last looked on the fatal day when the Anarchist's bullet had sent the President reeling back into his arms. Mr. Milburn studied the features of the prisoner earnestly for some moments, and his face was sad and hard as he looked.

At 11.30 o'clock the fifth juror chosen was James S. Stygall, Jr., a plumber. Again the President of the Exposition whirled and stared at the assassin as he stood erect to face Stygall. The murderer turned his eyes once and caught the look of Milburn. If there was any recognition he made no sign. He returned the stare calmly.

It was exactly 11.45 o'clock when the sixth juror was accepted in the person of William Loton, a farmer, who gave his home address as Eden. He had taken about one hour and three-quarters to secure half of the jury.

**Recess at Noon.**  
Shortly before 12 o'clock Mr. Lewis, immediately after the acceptance of Benjamin Ralph as the seventh juror, requested that the case hereafter continue from 10 o'clock in the morning until 12 noon and from 2 in the afternoon until 4.

That was because the aged attorney found it necessary to leave the city each afternoon at 4.40 o'clock, and he deems it necessary to hold a conference with his colleague each day.

District-Attorney Penney accepted the suggestion and Justice White stated that such would be the order of procedure.

**His Unshaken Opinion.**  
Herman B. Tauber, a local railroad clerk, was next called, but as he had expressed a firm opinion of the case, he also was excused by the Court.

had not expressed it to any one. His opinion could be changed by the evidence. He was excused by the People.

Wallace A. Butler, a farmer of Sardina, had formed a definite opinion as to the guilt of the prisoner and said that the evidence would have to be convincing to raise a reasonable doubt in his mind. Judge Lewis accepted Butler as competent, but he was excused by the Court.

"Frank J. Litz, a clerk, had not formed an opinion. He was confused by the questions of the counsel and made several contradictions. He was excused by the defense.

**Had Expressed Opinion.**  
Michael McGloin, a carpenter, was also excused by the people because he had expressed an opinion on the case. William Loton, a farmer at Eden, was chosen as the sixth juror at 11.45 o'clock.

George Kuhn, a baker, of Buffalo, born in Germany, but a citizen of this country for twenty-five years, was next called. His opinion of the guilt of the prisoner, he said, was so firmly established that no evidence could change it, and he was excused by the Court.

John Dellott, a Grand Island agriculturist, was opposed to capital punishment and was challenged by the People.

An adjournment until 2 o'clock was announced. There was a movement by the crowd to get out of the court in order to see the prisoner as he came out. The Sheriff put a stop to the contemplated rush, and the police, deputy sheriffs and tipstaves

held the big crowd until the Court had left the room.

Justice White, closely followed by Messrs. Lewis and Titus, District-Attorney Penney and Assistant District-Attorney Haller, went out first. Close behind walked the prisoner. Again he was handcuffed to Geary and Solomon and preceded by Mr. Cusack, who placed his hat upon his head. He walked down the main aisle of the court through the hundreds of men who strove to get near him for a closer inspection.

When he was out of the court the doors were shut and the crowd in the room was held back until the officers had hurried him to the basement of the City Hall and were well on the underground journey to the jail through the Tunnel of Sobs.

The second man called after reconvening of court was Samuel P. Waldo. He was accepted, making the ninth juror.

**ASSASSIN WANTED TO MAKE SPEECH.**  
(Special to The Evening World.)  
BUFFALO, Sept. 23.—The assassin had lost none of his composure during the noon hour. He made no move, and that fact caused one to believe that something of great importance had been lost forever.

He wished to make a speech this morning. It has developed that shortly after he had pleaded guilty he whispered to the detectives at his side that he wished to address the Court, and he attempted to rise.

"Sit still," said one of the detectives "in a whisper, as he seized the assassin by the arm. The Judge is talking now. Wait." And the murderer waited. Since that moment he has shown no inclination to say a word to the Court, though he smiled faintly when Detective Geary took from his wrist the steel handcuff, which was so tightly locked that it caused a deep ridge in the murderer's flesh.

"It cut," said he slowly. "I'm glad it's off."

And then he settled back into stolid silence.

### APPEARANCE OF THE ASSASSIN.

(Special to The Evening World.)  
BUFFALO, Sept. 23.—The assemblage in the court-room looked with intense interest upon the assassin as he entered. They saw a youthful looking man, five feet nine inches in height, of good and fairly athletic build. He will weigh in the neighborhood of 160 pounds.

He has a fine face, a high and broad forehead, a strong aquiline nose, a small and well-formed ear.

The eyes are gray and large. They do not rove but look calmly at one as though not afraid to be searched.

His clothing was a well-fitting suit of fairly good material. The low-falling collar he wore was spotless, and a bow tie of grayish purple stuff was neat and new.

**ROCHESTER JURY AFTER ANARCHISTS**

### BLUEJACKETS IN TRENCHES.

Called to Defend Mousel Bay from the Boers.

LONDON, Sept. 23.—A despatch to the Exchange Telegraph Company from Cape Town says the British cruiser Barracouta has arrived at Simon's Town and that all the available blue-jackets will be used in the trenches to defend Mousel Bay. Mousel Bay is 23 miles east of Cape Town.

**WHERE THE MILLIONS MEET—**  
The Want Pages of the Sunday World every Sunday.

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